IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2325 OF 2004

Wockhardt Limited .. Petitioner.
V/s.
Union of India & Others .. Respondents.

Mr.E.P. Bharucha, Senior counsel i/b. Harish Joshi & Co. for the petitioner.
Mr.H.V. Mehta with Y.R. Mishra i/b. T.C. Kaushik for the respondent.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 23RD AUGUST, 2004.

P.C. :

. Heard.

2. It is not in dispute that so far the petitioner has not been able to produce the certificate from the Director General of Foreign Trade discharging the petitioner of its export obligation. It is also not in dispute that for want of the said certificate from the Director General of Foreign Trade having been produced by the petitioner certifying discharge of export obligation, the respondent No.3 has invoked 12 bank guarantees details of which have been set out in Exhibit 'C'

(page 33).

3. In this view of the matter, now nothing remains in the writ petition. However, we record and accept the statement of Mr.H.V. Mehta, the learned counsel for respondent Nos.1 to 3 that in the event of petitioner submitting certificate from the Director General of Foreign Trade that the petitioner has fulfilled the requisite export obligations within the stipulated period, upon such certificate being verified by the respondent No.2 / respondent No.3, the refund of the amount recovered by invocation of 12 bank guarantees shall be made to the petitioner without any delay.

4. The writ petition stands disposed of.

5. Parties may be provided ordinary copy of this order duly authenticated by the Court Associate on payment on usual copying charges.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)